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No.486

AMARAVATI, WEDNESDAY, APRIL 10, 2024

G.31

NOTIFICATIONS BY HEADS OF DEPARTMENTS, Etc.

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**SUPERINTENDENT OF POLICE,
KURNOOL.**

Rc.No.A6/PR-10/2014.

Dated: 11.09.2023.

MEMO

KURNOOL DISTRICT - ORAL ENQUIRY AGAINST Sri G.NARASIMHULU, PC.601 ATTACHED TO DAR, KURNOOL - CHARGES HELD PROVED - SUPPLYING OF LETTER OF SDPO, ADONI - FURTHER REPRESENTATION - CALLED FOR.

- Ref:**
1. Charge Memo C.No.A6/PR-10/2014, Dated:10.04.2014.
 2. This office Progs. C.No.A6/PR-10/2014, Dated:18.08.2014
 3. This office Progs. C.No.A6/PR-10/2014, Dated:06.09.2022
 4. Letter C.No.134/SDPO-ADN/2023, dated.25.07.2023 of SDPO, Adoni

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The SDPO, Adoni has submitted his letter 4th cited stating that he has conducted OE. As per existing documentary evidence, the SDPO, Adoni held the charge as **PROVED** against the charged officer Sri G.Narasimhulu, PC.601, DAR, Kurnool as exparte. A copy of letter 4th cited is communicated.

On going through the content of above letter and as per documentary evidence appreciated by the Inquiry Officer based on which he came to the conclusion that charges against the charged officer Sri G.Narasimhulu, PC.601, DAR, Kurnool are **PROVED**. It appears that he has committed the offence mentioned in article of charge.

Sri G.Narasimhulu, PC.601, DAR, Kurnool is hereby directed to submit his further representation within 15 days from the date of receipt of this memo, failing which it will be construed that he has no further representation to submit and the further action will be taken on the merits of the case.

Acknowledge the receipt of the memo along with letter 4th cited immediately.

Encl: Letter 3rd cited.

G. KRISHNAKANTH,
Superintendent of Police,
Kurnool.

To

Sri G.Narasimhulu, PC.601, DAR, Kurnool through R.I.(Admin), DAR, Kurnool.

**INQUIRY REPORT ON THE DEPARTMENTAL ENQUIRY HELD AGAINST SRI
G. NARASIMHULU, PC-601 ATTACHED TO DAR, KURNOOL.**

SUBMITTED BY : **SRI. J. SIVA NARAYANA SWAMY.**

ENQUIRY OFFICER : Sri J. Siva Narayana Swamy.
Sub Divisional Police Officer,
ADONI.
Kurnool Dist.

VIDE LETTER NO : 1) PR No. A6/10/2014 dated.09.04.2014
of the Superintendent of Police, Kurnool.

2) 1) PR No. A6/05/2014 dtd.10.04.2014
of the Superintendent of Police, Kurnool

O.E.P.R. No.01/SDPO-ADN/2022 dated
10.09.2022 of the Sub Divisional Police
Officer, Adoni.

* * * * *

1) Under Sub Rule (2) of Rule 20 of A.P.C.S. (CC & A) Rules, 1991, I was appointed by the Superintendent of Police, Kurnool, as an inquiry authority to enquire into the charges framed against **SRI. G. NARASIMHULU, PC-601 ATTACHED TO DAR, KURNOOL.** (Here in after referred as Charged Officer) vide Proceedings A6/10/2014 dated 09.04.2014 of the Supdt. of Police, Kurnool. I have completed the enquiry, and based on the documentary and oral evidence adduced before me, I am submitting the following inquiry report.

2) The Inspector of Police, Adoni I Town P.S., was appointed as Presenting Officer in terms of Rule 20(5) of A.P.C.S. (CC & A) Rules, 1991.

**3) PARTICIPATION BY THE CHARGED OFFICER IN THE INQUIRY AND
DEFENSE ASSISTANTS AVAILABLE TO HIM**

The C.O (PC-601) Sri G. Narasimhulu, attached to D.A.R. Kurnool, did not participate in the inquiry from the beginning to the end. Moreover, his whereabouts are not known till the completion of O.E.

**4) ARTICLE OF CHARGE AND SUBSTANCE OF IMPUTATION OF
MISCONDUCT OR MISBEHAVIOR**

The following charge article was framed against the charged Officer (PC-601) Sri G. Narasimhulu, attached to D.A.R. Kurnool.

“Exhibited gross neglect of duty and reprehensible conduct in absenting from duty without leave or permission over 21 days and declared as a deserter with effect from 15.12.2012 and also violated Rule 3 of A.P.C.S (Conduct) Rules, 1964 being a Government Servant”.

According to the statement of imputation, the charged Officer Sri G. Narasimhulu, PC 601, attached to D.A.R. Kurnool, went on casual leave from 14.12.2012 AN to 20.12.2012 and extended leave for another 3 days. After

availing leave, you did not report for duty. Hence Duty R.S.I., D.A.R. Kurnool, in Memo No. 03/Duty R.S.I., Kurnool/13 dated 15.01.2013, has sent a report to the Superintendent of Police, Kurnool to declare as a deserter, as the period of absence exceeding 21 days. You were declared as a deserter with effect from 15.12.2012 vide D.O.No. 124/2013 (C.No. A3/Desert/1801/2013) dated 05.02.2013. The absence period exceeds one year by 14.12.2013. Thus, you have exhibited gross neglect of duty and reprehensible conduct in absenting from duty without leave or permission over 21 days and also violated Rule 3 of A.P.C.S (conduct) Rules, 1964 being a Government servant.

Rule 3. General:

1. Every Government Employee shall be devoted to his duty and shall maintain absolute integrity, discipline, impartiality and a sense of propriety.
2. No government employee shall behave in a manner which is unbecoming of such an employee or derogatory to the prestige of the Government.
3. No. Government employee shall act in a manner which will place his official position under any kind of embarrassment.

The whole enquiry was held from the beginning to the end without the presence of the Charged Officer because the Charged Officer PC-601 Sri G. Narasimhulu, attached to D.A.R. Kurnool, had been missing for about 10 years, and his whereabouts are not known despite all-out efforts. Further, keeping the oral inquiry pending for about 10 years without progress is not advisable. As such, the entire oral inquiry has been conducted judiciously.

5) CASE OF DISCIPLINARY AUTHORITY

To substantiate the allegations against the charged Officer PC-601 Sri G. Narasimhulu, attached to D.A.R. Kurnool, as many as 04 (Four) witnesses have been examined and recorded their statements and 05 documents were marked as exhibits on behalf of the prosecution.

The gist of the statements of four P.W.s is as follows.

PW-1: Sri M. Mallikarjuna, AR. PC-1534 of D.A.R. Kurnool now working at D.A.R. Nandyal. Recorded on 21.06.2023 at S.D.P.O.'s office, Adoni.

"On examination stated that his name is Mallikarjuna, AR Constable, and he works in Nandyal Dist. He worked as an A.R. constable in Kurnool Dist from January 2009 to October 2022. During his tenure at Kurnool Dist, as per the orders of his superior officers, he went to Peapully village, which is the native place of PC-601 G. Narasimhulu to serve the copies of D.O. No. 259/2013, Rc.No. A7/MPR/142/2012 dated -03-2013 postponement of increment copy and DO.No. 124/2013 Rc.No. A3/Deserter/1801/2-13 dated 05.02.2013 (deserter copy) and on enquiry in Peapully village, the elder sister of PC 601 by the name Ramanamma stated that her younger brother G. Narasimhulu has not been coming to home for about two years and they do not know where he is. On that, he pasted the above copies on the house door of the Charged Officer, taking photographs of them and after taking the statement of elder sister of the PC-601

and handing them over to his Superior Officers through a special report". **His special report is marked as Ex. P1.**

Since the oral enquiry was commenced without the presence of charged Officer, there is no scope for cross-examination or re-examination.

PW-2. Sri V. Sreenivasulu, Retired R.S.I., D.A.R., Kurnool. Recorded on 10.07.2023 at Dist Police Office, Kurnool.

"On examination stated that his name is V. Srinivasulu, and on 31.05.2014, he retired from service as R.S.I. from D.A.R. Kurnool. In the year 2012, i.e., on 14.12.2012, while he was working as R.S.I. at D.A.R. Kurnool the constable PC-601 G. Narasimhulu who was in V.R. Kurnool was sanctioned 5 + 1 days casual leave from 14.12.2012 evening to 20.12.2012 by R.I.A.R. admin to brought his children from his hometown Peapully to Kurnool to enrol them in the school. He is due for duty on 21.12.2012. But instead of reporting duty, he sent a Telegram for an extension of 3 days C.L. He is due for duty on 24.12.2012. But he did not turn up to duty and was absent. He made the same entry in the G.D. and informed higher officers through memo No. 64/O.R.S.I./2012 dated 28.12.2012 **(marked as Ex.P2)**. As of 15.01.2013, the absence period of PC-601 is more than 21 days. To take necessary action, he sent a memo to the office of the Superintendent of Police, Kurnool, vide memo no. 03/Duty R.S.I. Kurnool/2013 dated 15.01.2013 **(which is marked as Ex.P3)**".

Since the oral enquiry was commenced without the presence of charged Officer, there is no scope for cross-examination or re-examination.

PW-3. Sri A. Shivarami Reddy, Retired A.R.S.I., D.A.R., Kurnool. Recorded on 10.07.2023 at Dist Police Office, Kurnool.

"On examination stated that his name is A. Shivarami Reddy and on 30.06.2017, he retired from service as A.R.S.I. from D.A.R. Kurnool. In 2013, i.e., on 17.04.2023 at 21.00 hours, he was deputed to serve a deserter order vide DO. No. 259/2013, C.No. A7/MPR-1142/2012 dated 07.03.2013 **(Which is marked as Ex.P4)** against PC-601 G. Narasimhulu, who has been absent while working in V.R. Kurnool and issued a passport to him to this effect. On 18.04.2013, to serve the orders, he went to Peapully, the native place of PC-601 and on enquiry came to light that he never turns up to the village for 4 months, and his whereabouts are not known. Further even though made a phone call to the mobile number of PC 601 but did not respond".

Since the oral enquiry was commenced without the presence of charged Officer, there is no scope for cross-examination or re-examination.

PW-4. Smt. S. Ghousia Parveen, A.1 seat (Typist), District Police Office, Kurnool. Recorded on 10.07.2023 at Dist Police Office, Kurnool.

"On examination stated that her name is S. Ghousia Parveen. She works as a typist to A.1 seat in D.P.O., Kurnool. In 2013, while she was working as a A.3 seat (typist) as per the order of the then Superintendent of Police, Kurnool Sri Ake Ravi Krishna, she sent a deserter orders vide D.O No. 124/2013, Rc.No. A3/Desrt/1801/2013, D.P.O. Kurnool dated 05.12.2013 against PC 601 G.

Narasimhulu since his absent period is more than 21 days **(which is marked as Ex.P5)** to R.I.A.R Kurnool with instructions to serve the deserter orders.

Since the oral enquiry was commenced without the presence of charged Officer, there is no scope for cross-examination or re-examination.

6) CASE OF THE DEFENDANT

Sustained efforts have been made to serve the Memorandum of Charge PR.No. A6/10/2014 dated 09.04.2014 of the Superintendent of Police, Kurnool, to PC 601- G. Narasimhulu of V.R. Kurnool but could not be succeeded since his whereabouts were not known. Moreover, the traces of his family also could not be elusive.

The O.E. was completed on 10.07.2023 without C.O. because the O.E. file has been socked since 2014 without any progress. Moreover, it is merely a waste to keep pending the O.E. as such, completed it without prejudice.

7. ANALYSIS AND ASSESSMENT OF EVIDENCE

The following Article has been initiated against the charged officer PC 601 G. Narasimhulu of V.R. Kurnool, that "Exhibited gross neglect of duty and reprehensible conduct in absenting from duty without leave or permission over 21 days and declared as a deserter with effect from 15.12.2012 and also violated Rule 3 of A.P.C.S (Conduct) Rules, 1964 being a Government Servant".

Now it has to be decided whether the charge is proved against Sri G. Narasimhulu, PC 601 of D.A.R. Kurnool.

During the inquiry, four (4) Official witnesses were examined and recorded their statements, duly marking 05 documents as exhibits.

The O.E is completed on 10.07.2023 without the presence of charged Officer since it is impossible to trace him; his whereabouts are not known from the beginning to the end of the oral enquiry. Moreover, it is not feasible to trace him in near future.

Before concluding the oral enquiry, having elucidated some of the apparent facts to the notice of kind Superintendent of Police, Kurnool, i.e., punishing authority, for the favour of kind consideration.

The Charged Officer, Sri G. Narasimhulu is a native of Peapully village & Mandal of Kurnool Dist. He was enlisted as Civil Police Constable No. 601 in Kurnool dist. Earlier, he worked in Dornipadu PS, Tuggali PS and Yemmiganur Traffic P.S.s, respectively. While working in Yemmiganur Traffic P.S., he was brought to V.R. Kurnool on 17.09.2012.

While he was in V.R. Kurnool, he went on C.L. from 14.12.2012 to 20.12.2012, granted by R.I.A.R., Admin, Kurnool and due for duty on 20.12.2012, but he did not turn up to duty. He has been declared deserted by the then Superintendent of Police, Kurnool, vide D.O.No. 124/2013 in C.No. A3/Desert/1801/2013 dated 05.02.2013. Since it was not possible to serve the

deserter memo to PC 601. The then Superintendents of Police, Kurnool, gave two oral inquiries against the Charged Officer, shown below:

- On 09.04.2014 & 10.04.2014 **Sri. K. Raghurami Reddy, I.P.S., the then Superintendent of Police, Kurnool,** initiated two memoranda of charges against PC 601 Sri G. Narasimhulu and for causing service sent them to R.I.A.R Kurnool since the C.O PC 601 has been attached to D.A.R., Kurnool in the year 2012.
- But the Charged officer PC 601 went on leave for 6 days from 14.12.2012 to 20.12.2012 and did not turn up to duty to D.A.R. Kurnool even after the leave was over, and his whereabouts are not known till today.
- As such, after being futile efforts of R.I.A.R, Kurnool resubmitted both the Memoranda of charges to the kind Superintendent of Police, Kurnool stating that the above charged Officer was not available at his native place of Peapully and his whereabouts are not known. In this connection, he recorded the statements of V.R.O. of Peapully, A.R.S.I. B. Lingaiah and PC 3358 of Peapully PS and submitted the same along with the report.
- Further, as per the instructions of the then Superintendent of Police, Kurnool, the then Inspector Sri G. Prasad of Peapully circle also made hectic, persistent, sincere and relentless efforts with the assistance of his circle staff to trace the Charged officer PC 601 since his native place is Peapully village & Mandal and subsequently after making all efforts submitted a detailed report to the kind Superintendent of Police, Kurnool on 02.02.2014.
- But **the then Superintendent of Police, Kurnool Sri Ake Ravi Krishna, IPS.,** has sent both the O.E files vide 1st and 2nd cited references to Inspector of Police, Kodumuru as enquiry authority to inquire into the charge framed against Sri G. Narasimhulu, PC 601 attached R.I.A.R. Kurnool.
- To conduct OE Sri D. Prabhakar, the then Inspector of Police, Kodumuru circle, has inquired at his native place and villages of his relatives to know his location, but in vain.

Further, he procured a copy of F.I.R. Cr.No. 140/2015 u/s Man Missing from Kurnool II Town U.P.S., which registered a case on the report of the wife of PC 601 Sri G. Narasimhulu and submitted the same along with the report. After futile efforts, subsequently resubmitted both the O.E. files and a detailed report to the kind Superintendent of Police, Kurnool said that without the charged Officer's presence, the O.E. could not be taken up.

- Based on the above facts **Dr. Fakkeerappa Kaginelli, IPS., the then Superintendent of Police, Kurnool,** for publication of both Memoranda of Charges of PC 601 Sri G. Narasimhulu, attached to D.A.R. Kurnool sent a report to Commissioner of Printing, Stationery and Store Purchase Depot, Govt. Press, 1st floor, Muthyalampadu, Vijayawada on 24.11.2020 to publish the above in the A.P. Gazette for taking further action as per Rule 20 of A.P.C.S. (CC&A) Rules 1991 against the charged Officer.

Accordingly, the charge memos were published in the Andhra Pradesh Gazette on 07.12.2020.

Again, the above two P.R files vide PR No. A6/05/2014 dated.10.04.2014 and PR No. A6/OEPR-10/2014, dated. 19.12.2022 were sent to the then

S.D.P.O., Adoni, by the kind superintendent of Police, Kurnool with instructions to complete the O.E. within 2 months and submit an enquiry report.

In this connection, my predecessor to conduct O.E. against PC 601 Sri G. Narasimhulu, attached to D.A.R. Kurnool, flashed a Radio Message on 12.09.2022 addressed to R.I.A.R. Kurnool by information to S.P Kurnool, Addl., SP (Admin) Kurnool, Addl., SP (A.R.) Kurnool, D.S.P. A.R Kurnool, A.O., D.P.O. Kurnool to direct charged Officer to attend the O.E. on 16.09.2022 at 10.00 hours at S.D.P.O. Office, Adoni. The said R.M. was acknowledged by W.P.C. 2069, Gmail communication.

Albeit, let us know the progress in the missing case vide Cr.No. 140/2015 u/s Man Missing which was registered in Kurnool II Town P.S. on 12.06.2015 based on the complaint of the wife of the charged officer PC 601 Sri G. Narasimhulu, attached to D.A.R. Kurnool but the S.H.O. Kurnool II Town P.S. informed my predecessor that the case had been referred as U.N. on 22.08.2022 vide C.No. 1190/SDPO-K/2022 of S.D.P.O. Kurnool since they could not get any clues in this case, and till today his whereabouts are not known.

Moreover, when my predecessor called mobile No. 8465001638, which belonged to the wife of Charged Officer PC 601 Sri G. Narasimhulu, who has been residing at her hometown Anantapuram Town, she could not respond. Further, when he called to No. 9440010422, in which the charged officer PC 601 mentioned the above mobile number in his leave petition dated 13.12.2012, it was allotted to another customer who is a farmer of Rajahmundry.

My predecessor, i.e., Sri K.S. Vinod Kumar, Sub. Divisional Police Officer Adoni has made hectic and persistent efforts to know the location of Charged Officer PC 601 to conduct O.E. but in vain. On that, he resubmitted two O.E. files by submitting a detailed report to the kind Superintendent of police, Kurnool, in this regard.

In obedience of the instructions given by the present Superintendent of Police, Kurnool conducted an oral enquiry and concluded by examining four witnesses duly marking 05 documents as exhibits.

Albeit as per A.P.C.S. (Conduct) Rules 1964 and also as per Order No. 112(6) of A.P.P.M.- Part-I, Volume-I that the Police Officer should always be devoted to duty and maintain absolute integrity, impartiality and in a disciplined manner and while doing so should remain unperturbed to praise and criticism. But the charged Officer did not do so and showed gross misconduct by exhibiting his unruly behavior towards superior officers. He ducked at the stroke and escaped to avoid attend oral enquiries deliberately, which is not tolerable in a disciplined department.

Under the above circumstances, I prepared the minutes and disposing of the Oral enquiry against PC 601 Sri G. Narasimhulu of V.R. Kurnool as an **Ex-parte**. In view of the oral evidence and documentary evidence adduced before

me and in the circumstances narrated above, I hold the charge as **"Proved"** against Sri G. Narasimhulu, PC 601 of V.R., Kurnool.

8. Findings

Based on the documentary and oral evidence adduced before me the charge against the C.O that he **"Exhibited gross neglect of duty and reprehensible conduct in absenting from duty without leave or permission over 21 days and declared as a deserter with effect from 15.12.2012 and also violated Rule 3 of A.P.C.S (Conduct) Rules, 1964 being a Government Servant"** is held **"PROVED"** against Sri G. Narasimhulu, PC 601 of V.R., Kurnool.

9. Annexure containing list of executive documents and list of witnesses examined are enclosed.

J. SIVA NARAYANA SWAMY,
*Enquiry Officer &
Sub-Divisional Police Officer,
Adoni,
Kurnool District.*

CERTIFICATE

Certified that the procedure laid down in Rule 20 of A.P.C.S. (CC & A) Rules, 1991 have been followed while conducting oral enquiry against Civil PC-601, G. Narasimhulu attached to D.A.R. Kurnool.

J. SIVA NARAYANA SWAMY,
*Enquiry Officer &
Sub-Divisional Police Officer,
Adoni,
Kurnool District.*

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